

Remarks/Arguments

The foregoing amendments to the claims are of formal nature, and do not add new matter. Claims 39-43 are pending in this application. The Examiner has pointed out that the Applicants did not address the rejection under 35 U.S.C. §101 for being directed to non-statutory subject matter. Applicants respectfully thank the Examiner and have addressed this rejection accordingly.

Claim Rejections – 35 USC § 101

Claims 39, 40 and 44 were rejected under 35 U.S.C. §101 allegedly because "the claims failed to include limitations which would distinguish the claimed antibodies from those which occur in nature."

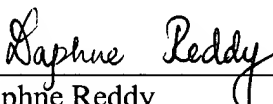
Claim 39 has been amended to recite "isolated" to distinguish the claimed antibodies from those that occur in nature. In view of the dependency of claim 40 on claim 39 and the cancellation of claim 44, this rejection is believed to be obviated and should be withdrawn.

The present application is believed to be in *prima facie* condition for allowance, and an early action to that effect is respectfully solicited.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney Docket No.: 39780-1618P2C30). Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: December 3, 2003



Daphne Reddy
Reg. No. 53,507

HELLER EHRMAN WHITE & McAULIFFE LLP
Customer No. 35489
275 Middlefield Road
Menlo Park, California 94025
Telephone: (650) 324-7000
Facsimile: (650) 324-0638
SV 468908 v1